

**Notice of Allowability**

Application No.

09/672,512

Examiner

David Q. Nguyen

Applicant(s)

AIKEN ET AL.

Art Unit

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/08/07.
2. ☒ The allowed claim(s) is/are 1,4-7,9-10,13-16, and 20-26 (renumbered as 1-18 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____  |

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Wan Cheung on 02/22/07.
3. The application has been amended as follows:  
Claims 18 and 27-30 have been cancelled.

***Allowable Subject Matter***

4. Claims 1,4-7,9-10,13-16, and 20-26 are allowed.  
Independent claims 1,10 and 20 have been allowed as indicated in the previous office action. The closest prior art, Roy (EP0926916A2) and Fukagawa et al. (US 6188913 B1) in combination fails to disclose or render obvious determining for each one of the terminals an EM field that would have to be generated for the one terminal in order to provide an acceptable receive strength thereat, the determining taking into account the strength, at the location of the one terminal, of EM fields previously determined for others of the terminals; repeating the first determining step until the EM fields determined for the at least two of the terminals provide an EM field strength for each of the at least two of the terminals that is substantially equal to its adequate receive strength; and determining the amount of energy to be directed in the direction

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of each of the terminals based on the EM fields thus determined, in combination with other limitations as specified in claim 1.

Claims 4-6 and 9 depend on claim 1. Therefore, they are allowed.

Claims 13-16 depend on claim 10. Therefore, they are allowed.

Claims 21-25 depend on claim 20. Therefore, they are allowed.

Independent claims 7 and 26 have been allowed as indicated in the previous office action.

The closest prior art, Roy (EP0926916A2) and Fukagawa et al. (US 6188913 B1) in combination fails to disclose or render obvious determining for each one of the terminals an EM field that would have to be generated for the one terminal in order to provide an acceptable receive strength thereat if that one terminal was the only terminal that needed to receive the signal; determining a scaling factor for each EM field such that each EM field, associated with the at least two terminals, scaled by its scaling factor provides an EM field strength at the location of each of these at least two terminals that is substantially equal to its adequate receive strength; scaling each EM field, associated with the at least two terminals, by its scaling factor; and determining the amount of energy to be directed in the direction of each of the terminals based on the EM fields thus determined, in combination with other limitations as specified in claim 7.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David Q Nguyen  
Examiner  
Art Unit 2617



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER